

PLAN AND ZONING COMMISSION MEETING

January 19, 2015

Direction: CITY1267.DSS

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, January 19, 2015, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Brown, Costa, Erickson, Hatfield.....Present
Cownie, Crowley.....Absent

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of January 5, 2015

Chairperson Andersen asked for any comments or modifications to the January 5, 2015 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Costa, the Plan and Zoning Commission approve the minutes of the January 5, 2015 meeting.

Vote: Andersen, Brown, Costa, Erickson, Hatfield.....Yes
Cownie, Crowley.....Absent
Motion carried.

Item 2 – Public Hearings

Item 2a - Amendment to City Code Title 9 (Zoning), Chapter 6 (Commercial, Office, and Industrial Zoning District), Section 6, (Commercial, Office and Industrial Use Regulations), Subsection C, Table 6.1 (Use Matrix), to amend SIC 7212, ‘Garment pressing and agents for laundries and dry cleaners’ to allow cleaners with limited equipment in all Commercial, Office, and Industrial zoning districts; and Amend Title 9 (Zoning), Chapter 10 (Performance Standards), Section 4 (Specific Use Regulations), Subsection 4-A to add language to City Code identifying specific regulations and requirements for dry cleaners with equipment operating under SIC 7212 – AO-002571-2014

Chairperson Andersen opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on January 9, 2015.

Chairperson Andersen asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Costa, seconded by Commissioner Brown, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Brown, Costa, Erickson, Hatfield.....Yes
Cownie, Crowley.....Absent
Motion carried.

Case Planner Twedt explained that this request came from an individual expressing interest in opening a dry cleaning establishment in a Regional Commercial zoned shopping center. The operation includes one piece of dry cleaning equipment, which currently is not allowed by Code. It was noted that this individual had been operating with this same dry cleaning equipment in the Normandy Plaza Center at Grand Avenue and Railroad Avenue. The City had no knowledge that this activity was taking place as

there were no indications that any complaints had ever been received. Staff determined that it may be appropriate to allow the use of the one piece of dry cleaning equipment. Staff discussed this with the Development and Planning Subcommittee, and they were in favor of allowing in all commercial districts with some restrictions to be driven by building and fire codes. Ms. Twedt explained that placing restrictions would be similar to what has been established for kennel operations in multi-tenant buildings to ensure compatibility with neighboring tenants. It also noted that it makes sense to have dry cleaners located around offices and commercial areas for the convenience of those dropping off and picking up dry cleaning.

Ms. Twedt continued that the SIC Code breaks out the actual cleaning plants which are the operations that clean the garments picked up from multiple dry cleaning establishments and believed to be much larger in scale. These operations are limited to industrial and warehouse locations.

Chair Andersen inquired as to the scope of the operation and does this individual ship out most of the needed cleaning to the dry cleaning plants. Ms. Twedt responded that this is a small operation. The owner literally cleans what is taken in using the one piece of equipment that has been owned for years.

Commissioner Costa asked why limit dry cleaners. Ms. Twedt provided this is to establish a middle designation for dry cleaners with limited cleaning and pressing from that of the industrial plant scale that uses multiple pieces of equipment.

Commissioner Erickson asked what would happen if a user had two pieces of dry cleaning equipment. Ms. Twedt surmised that staff would be made aware of the situation when tenant improvement permits were requested; and at that time, the request would be evaluated on a case-by-case basis with key measures taken into consideration to address safety, use of solvents, and other issues. Staff is comfortable with starting at one piece of equipment, rather than jumping to multiples.

Chairperson Andersen asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Brown, the Plan and Zoning Commission approve a resolution recommending City Council approve a resolution recommending to the City Council approval of the ordinance amendment.

Vote: Andersen, Brown, Costa, Erickson, Hatfield.....Yes
 Cownie, Crowley.....Absent
 Motion carried.

Item 3 – Old Business

There were no Old Business items on the agenda.

Item 4 – New Business

Item 4a – Willow Creek Baptist Church, 720 Army Post Road – Deferral of installation of sidewalks and streetlights – Willow Creek Baptist Church - PC-002549-2014

Curtis Ehler, Studio Melle, 820 1st Street, Suite 220, West Des Moines, representing the applicant, provided a map of the vicinity and identified the location of the requested deferrals. He continued that the Board of Adjustment had approved a Conditional Use Permit to allow for a building addition to the church. Mr. Ehler continued to explain that the church was located at the end of a long dirt driveway with a paved parking lot. A golf course is located to the east, corn fields to the north and south, and a

MidAmerican power station to the west. He pointed out where the new S8th Street connection would be constructed.

Mr. Ehler continued by discussing the sidewalk and streetlight deferral based on the precedent that had been allowed for the Iowa Christian Academy which requested five-year and a ten-year deferrals. Mr. Ehler elaborated that two years ago the church began master planning and fund raising for the building addition. With the Microsoft data center, the S8th Street connection has become a City priority, which in combination with the proposed addition, triggers installation of street lights and sidewalks. The Microsoft data center will be a great improvement to the area, but the sidewalk and street light installation are cost prohibitive for the church as this time due to the construction of the building addition. Mr. Ehler indicated that by their estimates, the street lights and sidewalks would be in the \$75,000-\$100,000 range. He argued that currently the sidewalks and streetlights would not benefit development at this time. The church is requesting a ten-year deferral for sidewalk and streetlight installation to allow for church savings and budgeting. The church would manifest a savings from no longer having to plow the streets which would help provide the funds if the ten-year deferral was approved.

Commissioner Costa pointed out that substantial development could occur faster than the requested ten years, and that it would make sense to coordinate sidewalk installation with the neighbors at the time of development.

Mr. Ehler responded that the Church knows and welcomes the coming development, but based on previous development history, there are no guarantees and the identified ten years seems like a reasonable time span to plan and work towards construction.

Planner Portz added that it was staff's recommendation that when the parcels to the north and south develop, the sidewalks and streetlights be installed on the Church property.

Commissioner Erickson inquired as to the surrounding zoning. Manager Twedt pointed out the Alluvion site and golf course and stated that the Church was zoned Medium Density with adjacent commercial. Ms. Twedt reminded the Commissioners that even if the sidewalks were triggered, this does not mean that installation of the street lights would trigger at the same time. Ms. Twedt informed the Commission that streetlight installation would be determined by MidAmerican with the installation of underground power. She stated that the conditions of approval are consistent with those that were approved for the Iowa Christian Academy field house. Also, if installation was required before the 10 years, the applicant has the right to come back and request an extension of the deferral.

Commissioner Hatfield inquired how many linear feet of frontage and the cost of the sidewalks. Ms. Twedt replied approximately 700 linear feet is required along the Church's property. Ms. Twedt indicated that streetlights were running about \$6,000 each. When the City requires surety for sidewalks for a single family subdivision, surety is taken at \$32 a linear foot for a 4' sidewalk or approximately \$23,000 for the 700 linear feet.

Commissioner Hatfield questioned if the parcel to the north developed within the next five years, would that trigger the necessity for a connection, or would both the north and the south parcels have to be developed. Ms. Twedt stated that a connection would be necessary when both sides develop or when there was otherwise something to connect the sidewalks to.

Chairperson Andersen asked if anyone from the audience would like to speak to this item; seeing none, asked for continued discussion or a motion.

Commissioner Erickson interjected that based on the discussions, the church seems to have adequate

recourse and could ask for an additional extension, if needed. He stated that staff's recommendation as written and presented was consistent with City practice.

Moved by Commissioner Erickson, seconded by Commissioner Costa, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the identified deferral requests, subject to the applicant meeting all City Code requirements and the following:

- The City Council granting a deferral for the installation of public sidewalks adjacent to the applicant's property along the east side of S8th Street (approximately 700 linear feet) until such time that development occurs on either side (north or south) of the Church property, unless otherwise required to be installed per City direction as part of any of the following:
 - The City's Sidewalk Improvement Program;
 - For pedestrian safety reasons; or
 - In conjunction with the development of any portion of the remainder of the property, excluding construction of parking additions which shall not trigger installation of the sidewalks along S8th Street.
- The City Council granting a deferral of the installation of streetlights adjacent to the applicant's property along the east side of S8th Street, until such time that the City directs installation as part of any of the following:
 - A City Improvement Program;
 - At the order of the City Council;
 - For safety reasons; or
 - When streetlights are installed along that portion of S8th Street between existing Pine Ave and Army Post Road.

Vote: Andersen, Costa, Erickson, Hatfield, Anderson.....Yes
 Cownie, Crowley.....Absent
 Motion carried.

Item 5 – Staff Reports

None.

Item 6 - Adjournment

Chairperson Andersen asked for a motion to adjourn the meeting.

Moved by Commissioner Hatfield, seconded by Commissioner Brown to adjourn the meeting.

Vote: Andersen, Costa, Erickson, Hatfield, Anderson.....Yes
 Cownie, Crowley.....Absent
 Motion carried.

The meeting adjourned at 5:53 p.m.

Erica Andersen, Chairperson
 Plan & Zoning Commission

Kimberly Taylor, Recording Secretary

